Saint Paul Planning Commission City Hall Conference Center 15 Kellogg Boulevard West

Minutes March 12, 2010

A meeting of the Planning Commission of the City of Saint Paul was held Friday, March 12, 2010, at 8:30 a.m. in Room 41 of the Conference Center of City Hall.

Commissioners Mmes. Donnelly-Cohen, Merrigan, Smitten, Thao, Wencl; and

Present: Messrs. Alton, Connolly, Commers, Fernandez, Gelgelu, Goodlow, Kramer,

Nelson, Schertler, Spaulding, Ward, and Wickiser.

Commissioners

Absent:

Mmes. *Halverson, *Porter, *Young, and Mr. *Margulies

*Excused

Also Present: Donna Drummond, Planning Director; Lorrie Louder, St. Paul Port Authority,

Lucy Thompson, Allan Torstenson, Patricia James, Merritt Clapp-Smith, Kate Reilly, Tia Anderson, Emily Goodman, and Sonja Butler, Department of

Planning and Economic Development staff.

I. Approval of minutes February 19, 2010.

<u>MOTION</u>: Commissioner Wencl moved approval of the minutes of February 19, 2010. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

II. Chair's Announcements

Chair Donnelly-Cohen announced that the Steering Committee met just prior to the meeting and discussed establishing the new Transportation Committee. The Steering Committee is working on Planning Commission by-law changes to incorporate the new committee, and these will be presented for consideration at the first meeting in April. There will be posting on the Mayor's web site advertising for applicants for the committee. As specified by the City Council resolution, there will be up to eight members from the community on the committee and four planning commissioners. Commissioners interested in being on this committee should let Chair Donnelly-Cohen know. She also asked commissioners to encourage people with strong backgrounds in transportation to apply.

III. Planning Director's Announcements

Donna Drummond announced that at the commissioners' places was a flyer about a series of four workshops related to transit oriented development, transit oriented districts and walkable communities. These events are free, but registration is required.

The construction schedule was announced for the LRT this week. What is called the Civil East package, which is basically everything in Saint Paul, was released for bids. The schedule

indicates that heavy construction will occur in 2011 in the stretch from the Minneapolis border to Hamline Avenue in 2011 and from Hamline to the Capitol area in 2012. Work will start in the area right around the Capitol this year. They will finish up Fourth Street this year and Cedar Street in 2011.

At City Council on February 24th the Comprehensive Plan had final adoption and now the City has a legally valid and up-to-date Comprehensive Plan that can be referred to.

On March 3rd at City Council there were a number of appeals. The appeal of David Brooks of a decision by the Planning Commission to revoke site plan approval at 2057 Laurel Avenue was denied.

The appeal of Neil McMahon of a decision by the Planning Commission approving reestablishment of non-conforming use at 1784 Lafond Avenue was granted.

The appeal of Brad Rixmann/Pawn America of the Planning Commission decision denying a conditional use permit and variance at 334 University Avenue East was withdrawn.

IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. (Tom Beach, 651/266-9086)

Five items will come before the staff Site Plan Review Committee on March 16, 2010. They are: Wheelock Early Education Center drop off lane, pavement replacement and landscape restoration at 1521 Edgerton Street; Harding High School track and field renovation at 1540 East 6th Street; Hamernick Hill new Showroom building at 1396 North Rice Street; Adams School parking lot expansion at 615 Chatsworth; and Central Corridor Light Rail-related utility building projects.

BUSINESS

<u>Minor Text Amendments for Chapters 60 and 61 of the Zoning Code</u> – Adoption of resolution recommending approval to Mayor and City Council. (*Kate Reilly, 651/266-6618*)

Commissioner Kramer said that they made some alterations to the staff recommendation, which were enclosed in the commissioner's packets.

<u>MOTION</u>: Commissioner Kramer moved on behalf of the Zoning Committee to recommend that the Minor Text Amendments for Chapters 60 and 61 of the Zoning Code be adopted by the Mayor and City Council. Commissioner Nelson seconded the motion. The motion carried unanimously on a voice vote.

Commissioner Kramer announced the items on the agenda for the next Zoning Committee meeting on Thursday, March 18, 2010.

V. Comprehensive Planning Committee

Off-Street Parking Requirements and Design Standards – Adoption of resolution recommending approval to Mayor and City Council. (Merritt Clapp-Smith, 651/266-6547)

Merritt Clapp-Smith, PED staff, outlined topics reviewed by the Comprehensive Planning Committee since the January 22nd public hearing on the proposed code amendments to Saint Paul's off-street parking requirements.

For auto and pawn shops there was some public testimony suggesting that these uses had uniquely high parking demand and should not be included in the 1 space per 400 gross square feet with other retail and office uses. At the request of the Comprehensive Planning Committee, staff did visual parking surveys of these types of businesses and it was determined that in both cases the proposed parking requirements are adequate to meet the demand, so the committee recommended that they retain the proposed code amendments for these uses.

There were four sets of public comments on the proposed maximum parking requirement, two saying they were too strict and two saying that they were not strict enough. Staff used parking utilization studies from various sites and uses around the city to propose minimum and maximum levels of parking that would be reasonable to accommodate the low and high ends of parking demand for businesses. The code amendments include a conditional use permit process for people who have uniquely high parking demand to apply to build parking above the maximum. The Comprehensive Planning Committee recommended retaining the parking maximum at 300% of minimum for eating establishments and 170% of minimum for all other uses; however, the committee felt that a small lot should not have to go through the conditional use permit process if it was only adding a few more spaces and exceeding the maximum and therefore recommended increasing the threshold above which maximum parking applies from a 10 space parking lot to a 15 space parking lot.

Commissioner Schertler asked about the maximum limit and wondered if it would prohibit things like Super Target's overflow, reserve parking lot along University Avenue. Ms. Clapp-Smith said that they wouldn't run into the maximum if the reserve lot was applied for as a special parking use, not just accessory to the building. In this case, the parking lot would be designated for leasing or shared use by others in the area and be actively used for parking, as opposed to sitting vacant. Creating unneeded parking that sits vacant simply for land banking purposes is not something the City should continue to allow if it wishes to use land more efficiently and reduce blight and environmental impacts created by excess parking. If someone wants to create parking that goes above the maximum, they can go through the conditional use permit process and demonstrate why the excess parking is needed.

In regard to preferential parking spaces, the committee revised the proposal that parking lots be required to provide 1 in 20 parking spaces or up to 5% of parking spaces for energy efficient cars, car pooling and van pooling in the lots, to allowing the designation of up to 5% of spaces for preferential parking. Commissioner Smitten commented that there should be stronger encouragement or incentives for people to provide parking for car pooling and the like. Ms. Clapp-Smith said that this was the intent of the originally proposed requirement to designate 1 out of 5 or 5% of spaces for special parking, but the committee was concerned that designated spaces may not be appropriate for all uses, may not get used, and would be hard to enforce. Therefore,

they preferred allowing it, so that those places where it seemed appropriate and enforceable could do it.

A landscape architect submitted extensive comments that questioned the proposed minimum landscape dimensions for tree planting. In response, the City Forester was consulted for his opinion. He responded with two memos which recommended a much larger planting area for trees than currently required or proposed. However, the ideal size seemed to the committee to be much larger than could be realistically accommodated in most parking lots and therefore they proposed a minimum tree planting dimension of 100 sq ft, compared to the current minimum of 18 square feet. Commissioner Smitten asked if it was wise to adopt a tree planting area smaller than recommended by the City Forester. Clapp-Smith responded that the larger, ideal size was intended for healthy growth of large shade trees and that perhaps a more realistic tree size for parking lots with limited space would be medium and small trees.

There was one public comment objecting to the proposed Travel Demand Management (TDM) requirement for large parking lots. The committee felt comfortable with a TDM requirement, but had questioned the proposed language. The City Attorney's office reviewed several TDM ordinances from other cities and discussed concerns and issues with the staff. As a result, the proposed TDM language was substantially revised, not altering the content, but making it clear and enforceable.

Commissioner Smitten asked if there was an incentive or allowance for using pervious pavement in parking lots, as a way to reduce storm water runoff. Ms. Clapp-Smith said that pervious pavement is allowed by the zoning code, but was not proposed as a requirement in these code amendments because it is only appropriate with certain soil conditions. PED staff had discussed the idea with staff from the Department of Safety and Inspections (DSI) and they suggested that the matter be given fuller discussion in a comprehensive review and study of parking lot design standards which they plan to undertake in a year or so to consider storm water landscaping and overall requirements.

Commissioner Nelson noted that in his recollection, applicants have asked for a variance to exceed the maximum parking based on current parking standards in a number of the TN zoned properties, where maximums already apply, such as Trader Joe's and new Cub Foods. He thinks there are going to be a lot more requested variances with a Citywide maximum. Another concern of his is the proposed minimum for eating places at 1 space per 400 sq ft. He said that the higher proposed maximum for these uses recognizes that restaurants have a higher parking demand than retail and office. He hoped that the proposed requirement for eating places would come down to 1 per 200 or somewhere in between that and 1 per 400 as proposed, because everyone knows restaurants are more intensive. If the requirement is the same as all retail spaces, then it suddenly allows restaurants to move into these spaces. He has real concerns that this will create negative consequences across the city. Commissioner Nelson agrees that we do not want vast areas of empty parking, but different parts of the city have different parking issues and yet we are proposing a one size fits all standard. He sees the restaurants as a serious issue.

Ms. Clapp-Smith replied that it is clear that eating places demand more parking on average than retail and office users and 1 space per 400 square feet might not be enough parking for these places if they are very busy. The trade off is that as long as eating places have a higher parking requirement than retail and office, as they do now, then when a commercial space goes out of

business and wants to reopen as a coffee shop or restaurant, it can only do so if: (a) there is room to add parking spaces, or (b) they get a variance. Variances for eating places frequently are supported in the community because people like these places to move in. In the City today, commercial corridors that are struggling want more eating places. It's a policy trade off and not an easy decision; it's going to have an impact either way.

<u>MOTION</u>: Commissioner Commers moved on behalf of the Comprehensive Planning Committee to recommend that the Parking Off-Street Requirements and Design Standards be adopted by the Mayor and City Council. The motion carried unanimously on a voice vote.

VI. Neighborhood Planning Committee

<u>District del Sol Zoning Study</u> – Recommendation to release draft for public review and schedule a public hearing on April 23, 2010. (*Lucy Thompson*, 651/266-6578)

Lucy Thompson, PED staff, gave a power point presentation of the recommendations. She talked about the purpose of the study, showing the study area and the process to date. Maps were shown of the existing land use, existing zoning and proposed zoning. Ms. Thompson talked about the study's key conclusions and recommendations. Approximately 80% of the 111 parcels within the study area are recommended for rezoning, mostly to TN2 Traditional Neighborhood. Other key conclusions/recommendations include:

- 1. TN2 is the appropriate new zoning classification for most of the study area to bring zoning into general compliance with neighborhood plans and the Saint Paul Comprehensive Plan.
- 2. B3 zoning of three parcels on the west side of Robert Street at the gateway to District del Sol is more compatible with adjacent land uses and neighborhood plans, and does not create any non-conforming land uses.
- 3. Medium-density residential land uses at the edge of the district (State Street Townhomes) are appropriately zoned RM2, and no change in zoning is recommended.
- 4. Jerry's Service Center should be rezoned to TN2, since it is at the heart of the commercial district, will be surrounded by TN2 zoning and sits on a parcel with a lot area (7,000) that is less than half of the minimum required for an auto repair station (15,000 square feet). Jerry's is a non-conforming use under its current zoning (B2), and would remain a non-conforming use under TN2.
- 5. Rodriguez Auto Service should remain B3, since it is located on the edge of District del Sol and has a lot area (almost 10,000 square feet) that is closer to the minimum required for an auto repair station (15,000 square feet).

Ms. Thompson noted that staff has already received a resolution from the Riverview Economic Development Association (REDA) in support of the staff recommendations. REDA was one of the organizations requesting the study.

Commissioner Schertler asked why staff is recommending that the parcel next to Captain Ken's be rezoned to RM1. The other option would be to leave it I1 and have it be zoned properly for an expansion of the existing or a future I1 use. Ms Thompson responded that staff feels the preferred land use change over time is away from industrial uses at this gateway to District del

Sol. Further, RM1 zoning is more compatible with the existing use of the parcel (duplex) and adjacent zoning to the east.

<u>MOTION</u>: On behalf of the Neighborhood Planning Committee, Commissioner Wencl moved to release the draft for public review and set a public hearing on April 23, 2010. The motion carried unanimously on a voice vote.

<u>City Council Resolution (3077776) Requesting Study of Sign Regulation Issues</u> – Recommendation to release draft for public review and schedule a public hearing on April 23, 2010. (*Emily Goodman*, 651/266-6551)

Commissioner Wencl said that information about the City Council resolution requesting the study of sign regulations and the staff recommendations in response were enclosed in the commissioners' packets and Emily Goodman, PED staff, was available for questions today.

<u>MOTION</u>: On behalf of the Neighborhood Planning Committee, Commissioner Wencl moved to release the draft for public review and set a public hearing on April 23, 2010. The motion carried unanimously on a voice vote.

Commissioner Wencl announced that the next Neighborhood Committee meeting is on Wednesday, March 31, 2010.

VII. Communications Committee

Commissioner Smitten had no report.

VIII. Task Force Reports

No reports.

IX. Old Business

None.

X. New Business

None.

XI. Adjournment

Meeting adjourned at 9:58 a.m.

Recorded and prepared by Sonja Butler, Planning Commission Secretary Planning and Economic Development Department, City of Saint Paul

Respectfully submitted,	Approved
	(Date)
Donna Drummond	Marilyn Porter
Planning Director	Secretary of the Planning Commission

Butler\planning commission\minutes\March 12, 2010